



1 This stipulation is intended to replace Plaintiff's Motion for Attorney Fees (Dkt. No. 25).

2 IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel,  
3 subject to the approval of the Court, that Plaintiff be awarded attorney fees in the amount of \$6,944.70  
4 (SIX THOUSAND NINE HUNDRED FORTY-FOUR DOLLARS AND SEVENTY CENTS) under  
5 the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for  
6 all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in  
7 accordance with 28 U.S.C. § 2412(d).

8 After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter  
9 of Plaintiff's assignment of EAJA fees to counsel, if any. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598  
10 (2010), the ability to honor any assignment will depend on whether the fees are subject to any offset  
11 allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA  
12 fees is entered, the government will determine whether they are subject to any offset.

13 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that  
14 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to be made  
15 directly to counsel, pursuant to the assignment executed by Plaintiff. Any payments made shall be  
16 delivered to Plaintiff's counsel, Hal Taylor.

17 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees  
18 and does not constitute an admission of liability on the part of Defendant under EAJA or otherwise.  
19 Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that  
20 Plaintiff and/or counsel, including counsel's firm, may have relating to EAJA fees and expenses and  
21 costs in connection with this action.

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1 This award is without prejudice to the rights of counsel and/or counsel's firm to seek Social  
2 Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of EAJA.

3  
4 Dated: December 22, 2022

Respectfully submitted,

5 /s/ Hal Taylor  
6 HAL TAYLOR  
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Attorney for Plaintiff

JASON M. FRIERSON  
United States Attorney

11 /s/ Sohayl Vafai  
12 SOHAYL VAFAI  
13 Special Assistant United States Attorney

Attorneys for Defendant

14  
15 **IT IS THEREFORE ORDERED** that the parties' stipulation for attorneys' fees (ECF No. 26) is  
16 **GRANTED.**

17 **IT IS FURTHER ORDERED** that Plaintiff's motion for attorneys' fees (ECF No. 25) is  
18 **DENIED AS MOOT.**

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22 DANIEL J. ALBREGTS  
23 UNITED STATES MAGISTRATE JUDGE

24 DATED: December 28, 2022  
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